

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

NATIONAL LABOR	:	
RELATIONS BOARD,	:	
Petitioner,	:	
	:	
v.	:	No. 20-3133
	:	
HAMILTON PARK HEALTH	:	
CARE CENTER, CONFIDENT	:	
MANAGEMENT SYSTEMS AT	:	
HAMILTON PARK HEALTH	:	
CARE CENTER, et al.,	:	
Respondents.	:	

AMENDED SCHEDULING ORDER

AND NOW, on April 22, 2021, following a telephone conference with counsel for all parties it is ORDERED:

1. By **April 28, 2021**, Defendants shall provide supplemental responses to remedy the discovery deficiencies outlined in Plaintiff's April 12, 2021 Letter.
2. If the supplemental responses do not remedy the deficiencies, then Plaintiff shall file a Motion to Compel and for Sanctions by **May 5, 2021**. Defendant shall respond to that motion by **May 12, 2021**.
3. By **July 1, 2021**, all fact discovery shall be completed.
4. The trial scheduled for June 9, 2021 is **CONTINUED** to **October 4, 2021**.
5. By **August 2, 2021**, all parties shall file with the Clerk of Court their pretrial memoranda in accordance with this Order and Local Rule of Civil Procedure 16.1(c). The memoranda shall not exceed five pages and include:

(a) a list of each fact witness to be called at trial with a brief statement of the nature of their expected testimony (witnesses not listed may not be called by that party in its case-in-chief);

(b) an itemized statement of petitioner's damages or other relief sought; and

(c) a statement of any anticipated important legal issues on which the Court will be required to rule, together with counsel's single best authority on each such issue.

6. By **September 13, 2021**, all motions in limine shall be filed. Responses are due by **September 20, 2021**.

7. A final pretrial conference for this matter is set for **September 27, 2021 at 9:30 a.m. in Room 3029, U.S. Courthouse, 601 Market Street, Philadelphia, PA.**

8. This case is listed for a bench trial on **October 4, 2021** at **9:30 a.m.** in **Courtroom 3G** to establish a factual record, as ordered by the United States Court of Appeals for the Third Circuit on January 14, 2021, which will be the basis for my recommended disposition of the NLRB's motion for contempt. Trial is expected to last through **October 5, 2021**. Counsel should consider themselves attached as of this date.

COUNSEL PLEASE NOTE: This Scheduling Order will be the only written notice counsel receive of the date this case will be tried. Counsel and all parties shall be prepared commence trial on **October 4, 2021**.

9. At the commencement of trial, the parties shall provide the Court with two copies of a schedule of exhibits which shall briefly describe each exhibit. The parties also shall provide the Court with two copies of each exhibit at the time of its first use at trial.

BY THE COURT:

/s/ Timothy R. Rice

TIMOTHY R. RICE

U.S. MAGISTRATE JUDGE